

Atty Dkt 0800-0023  
PATENT

CAU 1645  
#6

I hereby certify that this correspondence is being deposited with the United States Postal Service  
as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington,  
D.C. 20231 on October 19, 2001

10/19/01  
Date

Peter C. Colosi  
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

PETER C. COLOSI

Serial No.: 09/839,583

Filing Date: April 20, 2001

Group Art Unit: 1645

Examiner: Unassigned

Title: POLYNUCLEOTIDES FOR USE IN RECOMBINANT ADENO-ASSOCIATED  
VIRUS VIRION PRODUCTION

TRANSMITTAL LETTER

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is an Information Disclosure Statement and a  
Form PTO-1449 and copies of the cited references. It is believed that no fee is due.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R.  
§§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any  
overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: 10/19/01

By: Roberta L. Robins  
Roberta L. Robins  
Registration No. 33,208

ROBINS & PASTERNAK LLP  
90 Middlefield Road, Suite 200  
Menlo Park, CA 94025  
Telephone: (650) 325-7812  
Facsimile: (650) 325-7823

RECEIVED  
FEB 04 2002  
TECH CENTER 1600/2900





Atty Dkt 0800-0023  
1003.CIP3  
PATENT

IDS/#6  
2/6/02

I hereby certify that this correspondence was deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on October 19, 2001

10/19/01  
Date

Patricia K. Simon  
Signature

RECEIVED

FEB 04 2002

TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

PETER C. COLOSI

Serial No.: 09/839,583

Group Art Unit: 1645

Filing Date: April 20, 2001

Examiner: Unassigned

Title: POLYNUCLEOTIDES FOR USE IN RECOMBINANT ADENO-ASSOCIATED VIRUS VIRION PRODUCTION

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The information listed below may be material to the examination of the above-identified application. Copies of the information and completed PTO-1449 forms are submitted herewith. The Examiner is respectfully requested to make this information of official record in the application. The information includes:

United States Patent No. 5,872,005 issued February 16, 1999 to Wang et al.;

International Publication No. WO 96/40240 published December 19, 1996;

Carter, "Adeno-Associated Virus Helper Functions," *Handbook of Paroviruses* 1(13):255-282 (1990);

Carter et al., "Properties of an Adenovirus Type 2 Mutant, Ad2dl807, Having a Deletion Near the Right-Hand Genome Terminus: Failure to Help AAV Replication," *Virology* 126:505-516 (1983);

Georg-Fries et al., "Analysis of Proteins, Helper Dependence, and Seroepidemiology of a New Human Parovirus," *Virology* 134:64-71 (1984);

Handa et al., "Complementation of Adeno-Associated Virus Growth With Temperature-Sensitive Mutants of Human Adenovirus Types 12 and 5," *J. Gen. Virol.* 29:239-242 (1975);

Ito, M., "Adeno-Associated Satellite Virus Growth Supported by a Temperature-Sensitive Mutant of Human Adenovirus," *J. Gen. Virol.* 9:243-245 (1970);

Janik et al., "Locations of Adenovirus Genes Required for the Replication of Adenovirus-Associated Virus," *Proc. Natl. Acad. Sci. USA* 78 (3):1925-1929 (1981);

Jay et al., "Eukaryotic Translational Control: Adeno-Associated Virus Protein Synthesis is Affected by a Mutation in the Adenovirus DNA-Binding Protein," *Proc. Natl. Acad. Sci. USA* 78(5):2927-2931 (1981);

Laughlin et al., "Effect of Deletions in Adenovirus Early Region 1 Genes Upon Replication of Adeno-Associated Virus," *J. Virol.* 41(3):868-876 (1982);

Myers et al., "Adeno-Associated Virus Replication. The Effect of  $\alpha$ -Canavanine or a Helper Virus Mutation on Accumulation of Viral Capsids and Progeny Single-Stranded DNA," *J. Biol. Chem.* 256(2):567-570 (1981);

Myers et al., "Adenovirus Helper Function for Growth of Adeno-Associated Virus: Effect of Temperature-Sensitive Mutations in Adenovirus Early Gene Region 2," *J. Virol.* 35(1):65-75 (1980);

Ostrove et al., "Adenovirus Early Region 1b Gene Function Required for Rescue of Latent Adeno-Associated Virus," *Virology* 104:502-505 (1980);

Richardson et al., "A Cascade of Adenovirus Early Functions is Required for Expression of Adeno-Associated Virus," *Cell* 27(2):133-141 (1981);

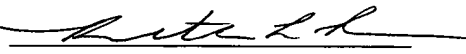
Straus et al., "DNA-Minus Temperature-Sensitive Mutants of Adenovirus Type 5 Help Adenovirus-Associated Virus Replication," *J. Virology* 17:140-148 (1976); and

Wang et al., "A Packaging Cell Line for Propagation of Recombinant Adenovirus Vectors Containing Two Lethal Gene-Region Deletions," *Gene Therapy* 2:775-783 (1995).

information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

Respectfully submitted,

Date: 10/19/01

By:   
Roberta L. Robins  
Registration No. 33,208

ROBINS & PASTERNAK LLP  
90 Middlefield Road, Suite 200  
Menlo Park, CA 94025  
Telephone: (650) 325-7812  
Facsimile: (650) 325-7823

COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



Atty Dkt No. 0800-0023

FORM PTO-1449 (Modified)  
LIST OF PATENTS AND PUBLICATIONS  
FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT  
(Use several sheets if necessary)  
Sheet 1 of 2

RECEIVED

FEB 04 2002

TECH CENTER 1600/2900

In the Application of PETER C. COLOSI

Serial No.: 09/839,583

Art Unit: 1645

Filed: April 20, 2001

Examiner: Unassigned

Title: POLYNUCLEOTIDES FOR USE IN RECOMBINANT ADENO-ASSOCIATED VIRUS VIRION PRODUCTION

U.S. PATENT DOCUMENTS

| Exam. Init. | Ref. Desig. | Document No. | Date              | Name        | Class | Sub Class | Filing Date |
|-------------|-------------|--------------|-------------------|-------------|-------|-----------|-------------|
|             | AA-1        | 5,872,005    | February 16, 1999 | Wang et al. |       |           |             |

FOREIGN PATENT DOCUMENTS

| Exam. Init. | Ref. Desig. | Document No. | Publication Date  | Country or Patent Office | Class | Sub Class | Translation YES | Translation NO |
|-------------|-------------|--------------|-------------------|--------------------------|-------|-----------|-----------------|----------------|
|             | AB-1        | WO 96/40240  | December 19, 1996 |                          |       |           |                 |                |

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

| Exam. Init. | Ref. Desig. | Description  |
|-------------|-------------|--|
|             | AC-1        | Carter, "Adeno-Associated Virus Helper Functions," <i>Handbook of Paroviruses</i> 1(13):255-282 (1990)   |
|             | AD-1        | Carter et al., "Properties of an Adenovirus Type 2 Mutant, Ad2dl807, Having a Deletion Near the Right-hand Genome Terminus: Failure to Help AAV Replication," <i>Virology</i> 126:505-516 (1983) |
|             | AE-1        | Georg-Fries et al., "Analysis of Proteins, Helper Dependence, and Seroepidemiology of a New Human Parovirus," <i>Virology</i> 134:64-71 (1984)   |

Examiner:

Date Considered:

EXAMINER: Initial if citation considered whether or not the citation conforms with MPEP609. Draw a line through the citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



Atty Dkt No. 0800-0023

FORM PTO-1449 (Modified)  
LIST OF PATENTS AND PUBLICATIONS  
FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT  
(Use several sheets if necessary)  
Sheet 2 of 2

RECEIVED  
FEB 04 2002  
TECH CENTER 1600/2900

In the Application of PETER C. COLOSI

Serial No.: 09/839,583

Art Unit: 1645

Filed: April 20, 2001

Examiner: Unassigned

Title: POLYNUCLEOTIDES FOR USE IN RECOMBINANT ADENO-ASSOCIATED VIRUS VIRION PRODUCTION

| Exam. Init. | Ref. Desig. | Description   |
|-------------|-------------|---|
|             | AF-1        | Handa, "Complementation of Adeno-Associated Virus Growth with Temperature-Sensitive Mutants of Human Adenovirus Types 12 and 5," <i>J. Gen. Virol.</i> <u>29</u> :239-242 (1975)  |
|             | AG-1        | Ito, M., "Adeno-associated Satellite Virus Growth Supported by a Temperature-sensitive Mutant of Human Adenovirus," <i>J. Gen. Virol.</i> <u>9</u> :243-245 (1970)  |
|             | AH-1        | Janik et al., "Locations of Adenovirus Genes Required for the Replication of Adenovirus-associated Virus," <i>Proc. Natl. Acad. Sci. USA</i> <u>78</u> (3):1925-1929 (1981)   |
|             | AI-1        | Jay et al., "Eukaryotic Translational Control: Adeno-associated Virus Protein Synthesis is Affected by a Mutation in the Adenovirus DNA-binding Protein," <i>Proc. Natl. Acad. Sci. USA</i> <u>78</u> (5):2927-2931 (1981)              |
|             | AJ-1        | Laughlin et al., "Effect of Deletions in Adenovirus Early Region 1 Genes Upon Replication of Adeno-Associated Virus," <i>J. Virol.</i> <u>41</u> (3):868-876 (1982)   |
|             | AK-1        | Myers et al., "Adeno-Associated Virus Replication. The Effect of $\gamma$ -Canavanine or a Helper Virus Mutation on Accumulation of Viral Capsids and Progeny Single-Stranded DNA," <i>J. Biol. Chem.</i> <u>256</u> (2):567-570 (1981) |
|             | AL-1        | Myers et al., "Adenovirus Helper Function for Growth of Adeno-Associated Virus: Effect of Temperature-Sensitive Mutations in Adenovirus Early Gene Region 2," <i>J. Virol.</i> <u>35</u> (1):65-75 (1980)                               |
|             | AM-1        | Ostrove et al., "Adenovirus Early Region 1b Gene Function Required for Rescue of Latent Adeno-Associated Virus," <i>Virology</i> <u>104</u> :502-505 (1980)   |
|             | AN-1        | Richardson et al., "A cascade of Adenovirus Early Functions is Required for Expression of Adeno-Associated Virus," <i>Cell</i> <u>27</u> (2):133-141 (1981)   |
|             | AO-1        | Straus et al., "DNA-Minus Temperature-Sensitive Mutants of Adenovirus Type 5 Help Adenovirus-Associated Virus Replication," <i>J. Virology</i> <u>17</u> :140-148 (1976)  |
|             | AP-1        | Wang et al., "A Packaging Cell Line for Propagation of Recombinant Adenovirus Vectors Containing Two Lethal Gene-Region Deletions," <i>Gene Therapy</i> <u>2</u> :775-783 (1995)  |

Examiner:

Date Considered:

EXAMINER: Initial if citation considered whether or not the citation conforms with MPEP609. Draw a line through the citation if not in conformance and not considered. Include copy of this form with next communication to applicant.